

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

JASON KESSLER

and

DAVID MATTHEW PARROTT,

Plaintiff,

v.

Civil Action No. **3:19-CV-00044**

CITY OF CHARLOTTESVILLE,
TARRON J. RICHARDSON, in his
official capacity, AL S. THOMAS in his
individual capacity, BECKY CRANNIS-CURL
in her individual capacity, MAURICE JONES
in his individual capacity,

Defendants.

MOTION TO DISMISS

Comes now Defendant Tarron J. Richardson (“Richardson”), City Manager of the City of Charlottesville, who is sued in his official capacity only and moves the Court pursuant to Rule 12(b)(6) F.R.C.P. to dismiss Plaintiff’s Complaint filed against him, with prejudice, on the grounds that the Complaint is duplicative of the claim assessed against the City of Charlottesville, fails to state a claim upon which relief can be granted and fails to allege any facts sufficient to establish a legally cognizable cause of action against him.

A brief in support of this Motion is filed this date which is incorporated herein.

TARRON J. RICHARDSON
By Counsel

s/Richard H. Milnor

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of October, 2019, I electronically filed the foregoing Motion to Dismiss with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Richard H. Milnor